

ADULT TREATMENT COURTS

- **Veterans Treatment Court (VTC):** VTC is a post plea and revocation model and accepts felonies and misdemeanors.
- **Recovery Court (RC):** RC is a post plea and revocation model and only accepts felonies.
- **Behavioral Health Court (BHC):** BHC is a probation revocation only model and accepts felonies and misdemeanors.

Referral Process for All Adult Treatment Courts:

1. When a plea enters or a complaint to revoke probation is admitted or sustained, any party on the case may request the court order a treatment court screen. If not already completed, the judge may order a Pre-Sentence Investigation or updated report.
2. The division clerk will enter the trigger in the system.
3. Sentencing will be set with the same timeframes as probation requirements.
4. The probation department will notify the treatment court a screen has been ordered.
5. The treatment court will determine program eligibility.
6. The court coordinator will e-file special report to the parties of the case indicating the eligibility results in JPOD prior to sentencing.

Eligibility Criteria for all 3 Treatment Courts:

Category	Definition
Able to participate/age	Applicant must reside in Jefferson or Gilpin Counties or be able to attend all court appearances and fulfill all problem-solving court program requirements.
	Applicant must have the ability to begin program participation within 90 days of being sentenced.
	Applicant must be 18 years of age at the time of the commission of the crime resulting in the conviction being screened.
	Applicant must have had past multiple supervision and treatment failures.
	Applicant is not pending extradition.
Other Pending Cases	Applicant is not eligible to be screened if they have a pending case in any jurisdiction that includes charges that would make the applicant ineligible if convicted. If the applicant’s other matter resolves in such a way to meet the above legal criteria, the applicant may be screened at that time.
	Applicant cannot be a current problem-solving court participant under probation revocation and the Problem-Solving Court staffing team has determined they have exhausted all resources. (Must be notated by staffing team at the time of the filing of the compliant to revoke probation).
	Applicant is not eligible to be screened for problem-solving courts if they are currently participating in another criminal problem-solving court in any jurisdiction with the exception of transfers within the First Judicial District problem-solving courts.

Collateral Issues	Individuals cannot be working as confidential informants while on probation. Applicant being screened cannot be a target in a Task Force drug distribution investigation, based on information provided to District Attorney by West Metro Drug Task Force or other similar law enforcement agencies.
	If applicant being screened is required to participate in Offense Specific Treatment as a condition of their supervision, they are not eligible to be screened for a problem-solving court.
	Applicant is not eligible if currently on parole.
Prior Criminal History	Applicant is not eligible if they have been convicted of a crime of violence pursuant to C.R.S 18-1.3-406 requiring a mandatory Department of Corrections sentence within the last 5 years.
	If the applicant has been discharged, either successfully or unsuccessfully, after participating in another criminal problem-solving court and that discharge occurred 12 or more months prior to screening, then a case-by-case analysis should be employed by the Limited Circumstances Screening Committee to determine whether they are eligible to be screened in the current criminal case. The following factors should be considered: <ul style="list-style-type: none"> i. The applicant meets all other eligibility criteria. ii. The outcome of their prior participation. iii. Objective indicators of the applicant’s continued need. iv. Motivation to participate.
	Applicant is not eligible if they have been convicted of a DF1 or for Special Offender under C.R.S 18-18-407 within the past 5 years of the date of screening.
Current Conviction	Current Conviction must be a probation eligible Class 2, 3, 4, 5, 6, or DF2, DF3, DF4 for Recovery Court. Veterans and Adult Mental Health Courts allow misdemeanors as well.
	If the current conviction is a crime of violence pursuant to C.R.S. 18-1.3-406, the applicant must be eligible for probation pursuant to statute.
	Current conviction is not as a special offender under C.R.S. 18-18-407.
	Current conviction is not a Class 2 Felony conviction for a crime against persons.
	Applicants that are probation eligible but receive community corrections or department of corrections sentences may be rescreened for a problem-solving court by order upon filing of a 35(b).
Limited circumstances to be discussed by stakeholder team	If current case being screened involves the use, possession, or threatened use of a deadly weapon (C.R.S. 18-1-901(3)(e)(I),(II), (h), the case must be reviewed by the stakeholder team.
	If current case being screened involves the death of another (Reckless Manslaughter, Criminally Negligent Homicide, Accessory, overdose situations), the case must be reviewed by the stakeholder team.
	If current conviction is for Second Degree Assault – Strangulation, the case must be reviewed by the stakeholder team.

	Recognizing the risk to current problem solving court clients by comingling individuals engaging in drug dealing behavior: If the applicant has a prior DF1 or Special Offender conviction, or if the current facts allege the possession of more than 14 grams of controlled substances, the case must be reviewed by the stakeholder team.
	If the current conviction involves an act of Domestic Violence, the District Attorney assigned to the problem-solving court can unilaterally request that the case be reviewed by the stakeholder team to determine appropriateness.
	If the applicant has been discharged, either successfully or unsuccessfully, after participating in another criminal problem-solving court and that discharge occurred 12 or more months prior to screening, then a case-by-case analysis should be employed by the Limited Circumstances Screening Committee to determine whether they are eligible to be screened in the current criminal case. The following factors should be considered: <ul style="list-style-type: none"> i. The applicant meets all other eligibility criteria. ii. The outcome of their prior participation. iii. Objective indicators of the applicant’s continued need. iv. Motivation to participate.

This is **Recovery Court** specific eligibility criteria in addition to the legal criteria above

Behavioral Health and Assessments	Must have LSI-R score of 29 or higher
	Must have a treatment level of 4 or higher per probation assessments
	Drug of choice must not be primarily alcohol or marijuana. There must be evidence of other substance use.

This is **Veterans Treatment Court** specific eligibility criteria in addition to the legal criteria above

Behavioral Health and Assessments	Must meet diagnostic criteria for a treatable behavioral health condition (mental health or substance use disorder; can include PTSD)
	Must have LSI-R score of 24 or higher; if the applicant has a score of 24 to 28, applicant is eligible only if 50% or higher in the following subscales: anti-social behavior, anti-social companions, and anti-social attitude/cognition.
	Must have the functional and cognitive ability to comply with program requirements

This is **Behavioral Health Court** specific eligibility criteria in addition to the legal criteria above:

Behavioral Health and Assessments	Must have LSI-R score of 24 or higher
	Must have a documented diagnosis of serious mental illness (SMI) within the past six months, with or without a co-occurring substance use disorder (SUD).
	ASAM does not indicate the need for a treatment level higher than 3.5